

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Aquatic Resources
Honolulu, Hawaii 96813

April 19, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Resubmittal of Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Education Permit to Daniel Dennison, National Oceanic and Atmospheric Administration, Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct Filming Activities

The Division of Aquatic Resources (DAR) hereby submits a request for your authorization and approval for issuance of a Papahānaumokuākea Marine National Monument education permit to Daniel Dennison, outreach coordinator, National Oceanic and Atmospheric Administration (NOAA), Papahānaumokuākea Marine National Monument, pursuant to § 187A-6, Hawaii Revised Statutes (HRS), chapter 13-60.5, Hawaii Administrative Rules (HAR), and all other applicable laws and regulations.

The education permit, as described below, would allow entry and specified activities to occur in Papahānaumokuākea Marine National Monument (Monument), including the NWHI State Marine Refuge and the waters (0-3 nautical miles) surrounding the following sites:

- French Frigate Shoals
- Gardner Pinnacles
- Maro Reef
- Laysan Island
- Lisianski Island, Neva Shoal
- Pearl and Hermes Atoll
- Kure Atoll State Seabird Sanctuary

The Department has made an exemption determination for this permit in accordance with chapter 343, HRS and Chapter 11-200, HAR. See Attachment ("DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR PAPAHAUNAUMOKUĀKEA MARINE NATIONAL MONUMENT EDUCATION PERMIT TO DANIEL DENNISON, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, PAPAHAUNAUMOKUĀKEA MARINE NATIONAL MONUMENT, FOR ACCESS TO STATE WATERS TO CONDUCT FILMING ACTIVITIES UNDER PERMIT PMNM-2010-041").

The activities covered under this permit would occur between May 1, 2010 and June 30, 2010.

INTENDED ACTIVITIES:

The purpose of these activities is to increase knowledge and appreciation of Papahānaumokuākea Marine National Monument by way of a series of news features and a 1/2 hour special, produced by Hawaii News Now (television stations, KGMB, KHNL, KFVE).

To carry out these activities, one combination reporter/photographer would be sent on the first half of the May/June cruise aboard the NOAA Ship HI'IALAKAI. This person would ultimately produce a series of television reports and a special 1/2 hour long documentary featuring scenes from the Monument, along with research activities, interviews with scientists, researchers and other key players.

The Applicant would meet regularly with the photographer/reporter and news managers from the television stations prior to the cruise to clearly outline expectations, procedures and protocols for gathering information and video during the cruise. A written plan would be developed to help guide coverage (subject to some alteration depending on weather, itinerary adjustments, etc.) and all stories involving other principal investigators would be discussed and pre-cleared with them. The photographer/reporter would be instructed to closely follow all instructions regarding safety, appropriateness, cultural sensitivity and photographic restrictions. All raw video, as per Monument policy, would be available post-cruise for internal, non-commercial use by the Monument Co-Trustee agencies.

The field PI for this permit would be Dr. Kelly Gleason. She is a maritime archaeologist with NOAA, has been granted numerous joint permits for work in the Monument, and will be the Chief Scientist on this cruise.

The proposed activities would enhance and expand coverage and appreciation of the Monument in the state of Hawaii. The residents of Hawaii are most closely connected to the Monument and the Northwestern Hawaiian Islands both culturally and naturally, yet common knowledge of the Monument in its 4th year since inception is not as broad as it should be. Utilizing mass media (Hawaii's largest and furthest reaching broadcast news organization) should help inform and educate thousands of residents about the existence of the Monument, its importance, and the reasons why protecting it are so important.

The activities proposed by the applicant directly support the Monument Management Plan's priority management needs through action plan 3.5.2 – Constituency Building and Outreach.

The activities described above may require the following regulated activities to occur in State waters:

- ☒ Swimming, snorkeling, or closed or open circuit SCUBA diving within any Special Preservation Area or Midway Atoll Special Management Area

REVIEW PROCESS:

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawaii Division of Aquatic Resources, Hawaii Division of Forestry and

Wildlife, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Hawaiian and Pacific Islands National Wildlife Refuge Complex Office, and the Office of Hawaiian Affairs (OHA). In addition, the permit application has been posted on the Monument Web site since March 15th, giving the public an opportunity to comment. The application was posted within 40 days of its receipt, in accordance with the Monument's Public Notification Policy.

Comments received from the scientific community are summarized as follows:

Scientific reviews support the acceptance of this application. No concerns were raised.

Comments received from the Native Hawaiian community are summarized as follows:

Cultural reviews support the acceptance of this application. No concerns were raised.

Comments received from the public are summarized as follows:

No comments were received from the public on this application.

Additional reviews and permit history:

Are there other relevant/necessary permits or environmental reviews that have or will be issued with regard to this project? (e.g. MMPA, ESA, EA) Yes ☒ No ☐

If so, please list or explain:

- The proposed activities are in compliance with the National Environmental Policy Act.
- The proposed activities are in compliance with HRS Chapter 343 (exemption class HAR §11-200-8(a)(5)).

Has Applicant been granted a permit from the State in the past? Yes ☐ No ☒

If so, please summarize past permits:

- However, the field PI for this permit has been granted numerous permits from the State.

Have there been any a) violations: Yes ☐ No ☒

b) Late/incomplete post-activity reports: Yes ☐ No ☒

Are there any other relevant concerns from previous permits? Yes ☐ No ☒

STAFF OPINION:

DAR staff is of the opinion that Applicant has properly demonstrated valid justifications for his application and should be allowed to enter the NWHI State waters and to conduct the activities

therein as specified in the application with certain special instructions and conditions, which are in addition to the Papahānaumokuākea Marine National Monument Education Permit General Conditions. All suggested special conditions have been vetted through the legal counsel of the Co-Trustee agencies (see Recommendation section).

MONUMENT MANAGEMENT BOARD OPINION:

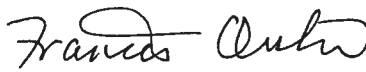
The MMB is of the opinion that the Applicant has met the findings of Presidential Proclamation 8031 and this activity may be conducted subject to completion of all compliance requirements. The MMB concurs with the special conditions recommended by DAR staff.

RECOMMENDATION:

That the Board authorize and approve a Education Permit to Daniel Dennison, NOAA, Papahānaumokuākea Marine National Monument, with the following special conditions:

1. To prevent introduction of disease or the unintended transport of live organisms, the permittee must comply with the disease and transport protocol attached to this permit.
2. Tenders and small vessels must be equipped with engines that meet EPA emissions requirements.
3. Refueling of tenders and all small vessels must be done at the support ships and outside the confines of lagoons or near-shore waters in the State Marine Refuge
4. No fishing is allowed in State Waters except as authorized under State law for subsistence, traditional and customary practices by Native Hawaiians.

Respectfully submitted,

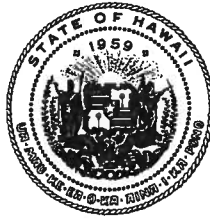

for Administrator

APPROVED FOR SUBMITTAL


LAURA H. THIELEN
Chairperson

Attachment

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

RUSSELL TSUJI
DEPUTY DIRECTOR - LAND

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

April 6, 2010

TO: Division of Aquatic Resources File

THROUGH: Laura H. Thielen, Chairperson

FROM: Francis Oishi, Program Manager
Division of Aquatic Resources

A handwritten signature in dark ink, appearing to be "FO", is written next to the name Francis Oishi.

DECLARATION OF EXEMPTION FROM THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT
UNDER THE AUTHORITY OF CHAPTER 343, HRS AND CHAPTER 11-200 HAR, FOR
PAPAHĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT EDUCATION PERMIT TO DANIEL
DENNISON, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, PAPAHĀNAUMOKUĀKEA
MARINE NATIONAL MONUMENT, FOR ACCESS TO STATE WATERS TO CONDUCT FILMING
ACTIVITIES UNDER PERMIT PMNM-2010-041.

The following permitted activities are found to be exempted from preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200, HAR:

Project Title:

Papahānaumokuākea Marine National Monument Education Permit to Daniel Dennison, National Oceanic and Atmospheric Administration, Papahānaumokuākea Marine National Monument, for Access to State Waters to Conduct Filming Activities.

Permit Number: PMNM-2010-041.

Project Description:

The education permit application, as described below, would allow entry and activities to occur in Papahānaumokuākea Marine National Monument (Monument), including the NWHI State waters from May 1, 2010 through June 30, 2010.

This is an effort to produce a series of television reports and a special 1/2 hour long documentary featuring scenes from the Monument, along with research activities, interviews with scientists, researchers and other key players. The purpose is to increase knowledge and appreciation of Papahānaumokuākea Marine National Monument by way of a series of news features and a 1/2 hour special, produced by Hawaii News Now (television stations, KGMB, KHNL, KFVE).

The proposed activities are in direct support the Monument Management Plan's priority management needs through action plan 3.5.2 – Constituency Building and Outreach.

April 6, 2010

The Constituency Building and Outreach Action Plan specifies to support efforts to broaden knowledge of and appreciation for Monument resources. Activities to support outreach, including “bringing the place to the people” through filmmaking and photography, such as those to be carried out by the permittee, are addressed in the Monument Management Plan Environmental Assessment. This EA summarizes that engaging Monument constituencies through integrated communications and interactive experiences could result in a beneficial effect on the Monument’s natural resources because Monument staff, MMB agencies and members of the Council would be able to more easily provide input from stakeholders and to share information that might be useful in managing natural resources and supporting future programs (PMNM MMP Vol 2, p.170).

Consulted Parties:

The permit application was sent out for review and comment to the following scientific and cultural entities: Hawaii Division of Aquatic Resources, Hawaii Division of Forestry and Wildlife, Papahānaumokuākea Marine National Monument (NOAA/NOS), NOAA Pacific Islands Regional Office (NOAA-PIRO), United States Fish and Wildlife Service Hawaiian and Pacific Islands National Wildlife Refuge Complex Office, and the Office of Hawaiian Affairs (OHA). In addition, the permit application has been posted on the Monument Web site since March 15th, giving the public an opportunity to comment. The application was posted within 40 days of its receipt, in accordance with the Monument’s Public Notification Policy.

Exemption Determination:

After reviewing HAR § 11-200-8, including the criteria used to determine significance under HAR § 11-200-12, DLNR has concluded that the activities under this permit would have minimal or no significant effect on the environment and that issuance of the permit is categorically exempt from the requirement to prepare an environmental assessment based on the following analysis:

1. All activities associated with this permit, including filming and photography, have been evaluated as a single action. As a preliminary matter, multiple or phased actions, such as when a group of actions are part of a larger undertaking, or when an individual project is precedent to or represents a commitment to a larger project, must be grouped together and evaluated as a single action. HAR § 11-200-7. This permit does not involve an activity that is precedent to a later planned activity.

2. The Exemption Class for Scientific Research with no Serious or Major Environmental Disturbance Appears to Apply. Chapter 343, HRS, and section 11-200-8, HAR, provide for a list of classes of actions exempt from environmental assessment requirements. HAR §11-200-8.A.5. specifically exempts the class of actions which involve “basic data collection, research, experimental management, and resource evaluation activities, which do not result in a serious or major disturbance to an environmental resource.” This exemption class has been interpreted to include “surveys, censuses, inventories, studies, photographing, recording, sampling, collection, culture and captive propagation of aquatic biota”, such as those being proposed.

The proposed filming and photography activities here appear to fall squarely under the exemption class #5, exempt item #4 as described under the former Fish and Game Division exemption list published in January 19, 1976. Filming and photography are considered data collection. As discussed below, no significant disturbance to any environmental resource is

anticipated in either the filming or photographing of Monument resources. Thus, so long as the below considerations are met, an exemption class should include the action now contemplated.

3. Cumulative Impacts of Actions in the Same Place and Impacts with Respect to the Potentially Particularly Sensitive Environment Will Not be Significant. Even where a categorical exemption appears to include a proposed action, the action cannot be declared exempt if “the cumulative impact of planned successive actions in the same place, over time, is significant, or when an action that is normally insignificant in its impact on the environment may be significant in a particularly sensitive environment.” HAR § 11-200-8.B. To gauge whether a significant impact or effect is probable, an exempting agency must consider every phase of a proposed action, any expected primary and secondary consequences, the long-term and short-term effects of the action, the overall and cumulative effect of the action, and the sum effects of an action on the quality of the environment. HAR § 11-200-12. Examples of actions which commonly have a significant effect on the environment are listed under HAR § 11-200-12.

Since the designation of the Monument, five projects of this type have been undertaken to date. There were no deleterious effects from the previous projects. With this in mind, significant cumulative impacts are not anticipated as a result of this activity, and numerous safeguards further ensure that the potentially sensitive environment of the project area will not be significantly affected. All activities will be conducted in a manner compatible with the management direction of the Monument Proclamation in that the activities do not diminish monument resources, qualities, and ecological integrity, or have any indirect, secondary, cultural, or cumulative effects. The joint permit review process did not reveal any anticipated indirect or cumulative impacts, nor did it raise any cultural concerns, that would occur as a result of these activities.

Since no significant cumulative impacts or significant impacts with respect to any particularly sensitive aspect of the project area are anticipated, the categorical exemptions identified above should remain applicable.

4. Overall Impacts will Probably be Minimal and Insignificant. Any foreseeable impacts from the proposed activity will probably be minimal, and further mitigated by general and specific conditions attached to the permit. Specifically, all research activities covered by this permit will be carried out with strict safeguards for the natural, historic, and cultural resources of the Monument as required by Presidential Proclamation 8031, other applicable law and agency policies and standard operating procedures. The permittee and Monument staff would engage in planning meetings with the reporter/photographer and his supervisors in advance of the cruise to ensure complete knowledge of necessary safeguards, cultural awareness and protocols. The reporter/photographer would be escorted and supervised at all times in the field.

April 6, 2010

Conclusion. Upon consideration of the permit to be approved by the Board of Land and Natural Resources, the potential effects of the above listed project as provided by Chapter 343, HRS and Chapter 11-200 HAR, have been determined to be of probable minimal or no significant effect on the environment and exempt from the preparation of an environmental assessment.

Laura H. Thielen
Board of Land and Natural Resources

Date

Papahānaumokuākea Marine National Monument
EDUCATION Permit Application

NOTE: *This Permit Application (and associated Instructions) are to propose activities to be conducted in the Papahānaumokuākea Marine National Monument. The Co-Trustees are required to determine that issuing the requested permit is compatible with the findings of Presidential Proclamation 8031. Within this Application, provide all information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Papahānaumokuākea Marine National Monument (Monument).*

ADDITIONAL IMPORTANT INFORMATION:

- Any or all of the information within this application may be posted to the Monument website informing the public on projects proposed to occur in the Monument.
- In addition to the permit application, the Applicant must either download the Monument Compliance Information Sheet from the Monument website OR request a hard copy from the Monument Permit Coordinator (contact information below). The Monument Compliance Information Sheet must be submitted to the Monument Permit Coordinator after initial application consultation.
- Issuance of a Monument permit is dependent upon the completion and review of the application and Compliance Information Sheet.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send Permit Applications to:

Papahānaumokuākea Marine National Monument Permit Coordinator

6600 Kalaniana'ole Hwy. # 300

Honolulu, HI 96825

nwhipermi@noaa.gov

PHONE: (808) 397-2660 FAX: (808) 397-2662

SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. FOR ADDITIONAL SUBMITTAL INSTRUCTIONS, SEE THE LAST PAGE.

Papahānaumokuākea Marine National Monument Permit Application Cover Sheet

This Permit Application Cover Sheet is intended to provide summary information and status to the public on permit applications for activities proposed to be conducted in the Papahānaumokuākea Marine National Monument. While a permit application has been received, it has not been fully reviewed nor approved by the Monument Management Board to date. The Monument permit process also ensures that all environmental reviews are conducted prior to the issuance of a Monument permit.

Summary Information

Applicant Name: Dan Dennison

Affiliation: Papahānaumokuākea Marine National Monument/NOAA/NOS

Permit Category: Education

Proposed Activity Dates: May 10, 2010-June 7, 2010

Proposed Method of Entry (Vessel/Plane): NOAA Ship Hi'ialakai

Proposed Locations: All points during the proposed activity dates

Estimated number of individuals (including Applicant) to be covered under this permit: 2

Estimated number of days in the Monument: 14

Description of proposed activities: (complete these sentences):

a.) The proposed activity would...

Increase knowledge of and appreciation of Papahānaumokuākea Marine National Monument by way of a series of news features and a 1/2 hour special, produced by Hawaii News Now (television stations, KGMB, KHNL, KFVE). The Monument has entered into an informal partnership with the television stations to help bring attention to the 10th anniversary of the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve.

b.) To accomplish this activity we would

Send one combination reporter/photographer on the first half of the 2010 Maritime Heritage Cruise to the monument. This person will produce a series of television reports and a special 1/2 hour long documentary featuring scenes from the monument, along with research activities, interviews with scientists, researchers and other key players.

c.) This activity would help the Monument by ...

Broadening knowledge and appreciation of the monument's natural and cultural resources and heritages with the constituency in closest physical proximity to Papahānaumokuākea. Hawaii News Now is three television stations which combined produce 40 hours of news each week. A

successful partnership at this juncture could mean a more formal working arrangement in the future to help the monument spread its stories even wider.

Other information or background: The assigned reporter/photographer would only focus on research that has been discussed in advance and pre-approved after discussion between the PI for this permit and the PI's on research permits.

Section A - Applicant Information

1. Applicant

Name (last, first, middle initial): Daniel W. Dennison

Title: Constituent Outreach and Partnerships Coordinator

1a. Intended field Principal Investigator (See instructions for more information):
Dr. Kelly Gleason/maritime archaeologist-Papahānaumokuākea Marine National Monument

2. Mailing address (street/P.O. box, city, state, country, zip):

[REDACTED]

Phone:

[REDACTED]

Fax:

[REDACTED]

Email:

[REDACTED]

For students, major professor's name, telephone and email address:

3. Affiliation (institution/agency/organization directly related to the proposed project):
Papahānaumokuākea Marine National Monument/NOAA/National Ocean Service

4. Additional persons to be covered by permit. List all personnel roles and names (if known at time of application) here (e.g. John Doe, Teacher; Jane Doe, Videographer):
Oscar Valenzuela-reporter/photographer Hawaii News Now

Section B: Project Information

5a. Project location(s):

<input type="checkbox"/> Nihoa Island	<input type="checkbox"/> Land-based	<input type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input type="checkbox"/> Necker Island (Mokumanamana)	<input type="checkbox"/> Land-based	<input type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> French Frigate Shoals	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Gardner Pinnacles	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Maro Reef			
<input checked="" type="checkbox"/> Laysan Island	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Lisianski Island, Neva Shoal	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Pearl and Hermes Atoll	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input checked="" type="checkbox"/> Midway Atoll	<input checked="" type="checkbox"/> Land-based	<input checked="" type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input type="checkbox"/> Kure Atoll	<input type="checkbox"/> Land-based	<input type="checkbox"/> Shallow water	<input type="checkbox"/> Deep water
<input type="checkbox"/> Other			

Ocean Based

NOTE: There is a fee schedule for people visiting Midway Atoll National Wildlife Refuge via vessel and aircraft.

Location Description:

Reporter/photographer will only perform activities agreed upon in advance with maritime heritage cruise PI, research PI's and application PI.

5b. Check all applicable regulated activities proposed to be conducted in the Monument:

- ☐ Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging any living or nonliving Monument resource
- ☐ Drilling into, dredging, or otherwise altering the submerged lands other than by anchoring a vessel; or constructing, placing, or abandoning any structure, material, or other matter on the submerged lands
- ☐ Anchoring a vessel
- ☐ Deserting a vessel aground, at anchor, or adrift
- ☐ Discharging or depositing any material or matter into the Monument
- ☐ Touching coral, living or dead
- ☐ Possessing fishing gear except when stowed and not available for immediate use during passage without interruption through the Monument
- ☐ Attracting any living Monument resource
- ☐ Sustenance fishing (Federal waters only, outside of Special Preservation Areas, Ecological Reserves and Special Management Areas)
- ☐ Subsistence fishing (State waters only)
- ☒ Swimming, snorkeling, or closed or open circuit SCUBA diving within any Special Preservation Area or Midway Atoll Special Management Area

6 Purpose/Need/Scope *State purpose of proposed activities:*

To enhance and expand coverage and appreciation of the monument in the state of Hawaii. The residents of Hawaii are most closely connected to the monument and the Northwestern Hawaiian Islands both culturally and naturally, yet common knowledge of the monument in its 4th year since inception is not as broad as it should be. Utilizing mass media (Hawaii's largest and furthest reaching broadcast news organization) should help inform and educate thousands of residents about the existence of the monument, its importance and the reasons why protecting it are so important.

7. Answer the Findings below by providing information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historic, and cultural resources of the Monument:

The Findings are as follows:

a. How can the activity be conducted with adequate safeguards for the cultural, natural and historic resources and ecological integrity of the Monument?

The permit application PI and monument staff will engage in planning meetings with the reporter/photographer and his supervisors in advance of the cruise to ensure complete knowledge of necessary safeguards, cultural awareness and protocols.

b. How will the activity be conducted in a manner compatible with the management direction of this proclamation, considering the extent to which the conduct of the activity may diminish or enhance Monument cultural, natural and historic resources, qualities, and ecological integrity, any indirect, secondary, or cumulative effects of the activity, and the duration of such effects?

The Monument Management Plan (CBO-2) calls for the continual development and dissemination of materials and improvement and updating of tools that help inform Monument constituencies over the life of the plan.

c. Is there a practicable alternative to conducting the activity within the Monument? If not, explain why your activities must be conducted in the Monument.

Local television stations have had no opportunity to obtain video in the Monument since its designation. While they do accept government produced video, its use is limited at best.

d. How does the end value of the activity outweigh its adverse impacts on Monument cultural, natural and historic resources, qualities, and ecological integrity?

There are no expected adverse impacts to Monument resources, qualities or ecology.

The production of a series of reports on the Monument along with a 1/2 hour special will reach constituents across the state of Hawaii.

e. Explain how the duration of the activity is no longer than necessary to achieve its stated purpose.

The reporter/photographer will disembark from the NOAA research vessel midway through the cruise and fly from Midway Atoll back to Oahu. There is a slight chance the travel could be reversed: (ie: fly to Midway and join the second half of the cruise).

f. Provide information demonstrating that you are qualified to conduct and complete the activity and mitigate any potential impacts resulting from its conduct.

The permit PI is an employee of Papahānaumokuākea Marine National Monument and is a veteran broadcast journalist and news executive. He will ensure the cruise participant is fully briefed on all regulations, understands the impacts of human presence in the Monument, fully appreciates the cultural aspects of the Monument; and while we cannot exercise complete editorial control over gathered material will have an understanding in advance about content and subject matter.

g. Provide information demonstrating that you have adequate financial resources available to conduct and complete the activity and mitigate any potential impacts resulting from its conduct.

PMNM has budgeted funds for the reporter/photographer's one way flight back to Oahu from Midway Atoll, as well as for required living expenses associated with time on Midway.

h. Explain how your methods and procedures are appropriate to achieve the proposed activity's goals in relation to their impacts to Monument cultural, natural and historic resources, qualities, and ecological integrity.

The cruise participant will be gathering video images on land and possibly in water (based on successful certification as a NOAA Observer Diver).

i. Has your vessel has been outfitted with a mobile transceiver unit approved by OLE and complies with the requirements of Presidential Proclamation 8031?

N.A.

j. Demonstrate that there are no other factors that would make the issuance of a permit for the activity inappropriate.

There are no factors that would make the issuance of a permit for the activity inappropriate.

8. Procedures/Methods:

The monument's Constituent Outreach and Partnerships Coordinator will meet regularly with the photographer/reporter and news managers from the television stations prior to the cruise to clearly outline expectations, procedures and protocols for gathering information and video during the cruise. A written plan will be developed to help guide coverage (subject to some alteration depending on weather, itinerary adjustments, etc.) and all stories involving other principal investigators will be discussed and pre-cleared with them. The photographer/reporter will be instructed to closely follow all instructions regarding safety, appropriateness, cultural sensitivity and photographic restrictions. The photographer/reporter will be asked to share daily e-mail updates with both his PI and field PI to help identify any issues or problems that may occur. All raw video as per monument policy will be available post-cruise for internal, non-commercial use by NOAA/National Ocean Service/Papahānaumokuākea Marine National Monument.

NOTE: If land or marine archeological activities are involved, contact the Monument Permit Coordinator at the address on the general application form before proceeding, as a customized application will be needed. For more information, contact the Monument office on the first page of this application.

9a. Collection of specimens - collecting activities (would apply to any activity): organisms or objects (List of species, if applicable, attach additional sheets if necessary):
N.A.

Common name:

Scientific name:

& size of specimens:

Collection location:

☐ Whole Organism ☐ Partial Organism

9b. What will be done with the specimens after the project has ended?

N.A.

9c. Will the organisms be kept alive after collection? ☐ Yes ☐ No

N.A.

• Specific site/location:

• Is it an open or closed system? ☐ Open ☐ Closed

• Is there an outfall? ☐ Yes ☐ No

• Will these organisms be housed with other organisms? If so, what are the other organisms?

• Will organisms be released?

10. If applicable, how will the collected samples be transported out of the Monument?

N.A.

11. Is your proposed activity based on a State Department of Education Standards Based Curriculum? If so, describe:

N.A.

12. If applicable, describe how you are collaborating with others in any way to reduce duplicative activities in the Monument or elsewhere?

N.A.

13. What materials, products or deliverables will be developed as a result of your proposed activity? Provide a time line for write-up and publication of information or production of educational materials:

A series of 5-10 television feature reports and a 1/2 hour television special. Based on availability of technology, there may be some limited video transmitted from the NOAA ship as well as telephone reports.

14. List all specialized gear and materials to be used in this activity:

Video camera

15. List all Hazardous Materials you propose to take to and use within the Monument:

N.A.

16. Describe any fixed installations and instrumentation proposed to be set in the Monument:

N.A.

17. List all Applicants' publications/references directly related to the proposed project:

N.A.

With knowledge of the penalties for false or incomplete statements, as provided by 18 U.S.C. 1001, and for perjury, as provided by 18 U.S.C. 1621, I hereby certify to the best of my abilities under penalty of perjury of that the information I have provided on this application form is true and correct. I agree that the Co-Trustees may post this application in its entirety on the Internet. I understand that the Co-Trustees will consider deleting all information that I have identified as "confidential" prior to posting the application.

Signature

Date

**SEND ONE SIGNED APPLICATION VIA MAIL TO THE MONUMENT OFFICE
BELOW:**

Papahānaumokuākea Marine National Monument Permit Coordinator
6600 Kalaniana'ole Hwy. # 300
Honolulu, HI 96825
FAX: (808) 397-2662

DID YOU INCLUDE THESE?

- ☒ Applicant CV/Resume/Biography
- ☒ Intended field Principal Investigator CV/Resume/Biography
- ☒ Electronic and Hard Copy of Application with Signature
- ☐ Statement of information you wish to be kept confidential
- ☐ Material Safety Data Sheets for Hazardous Materials

Papahānaumokuākea Marine National Monument Compliance Information Sheet

- 1. Updated list of personnel to be covered by permit. List all personnel names and their roles here (e.g. John Doe, Diver; Jane Doe, Field Technician, Jerry Doe, Medical Assistant):** 1. Dan Dennison-(Principal Investigator), Constituent Outreach & Partnerships Coordinator, Papahānaumokuākea Marine National Monument. 2. Oscar Valenzuela-(Reporter/Photographer), Hawaii News Now-KGMB, KHNL, KFVE

- 2. Specific Site Location(s): (Attach copies of specific collection locations):** Please refer to written plan attached.

- 3. Other permits (list and attach documentation of all other related Federal or State permits):** N.A.

- 3a. For each of the permits listed, identify any permit violations or any permit that was suspended, amended, modified or revoked for cause. Explain the circumstances surrounding the violation or permit suspension, amendment, modification or revocation.** N.A.

- 4. Funding sources (Attach copies of your budget, specific to proposed activities under this permit and include funding sources. See instructions for more information):** One-way airfare and daily lodging/meal expenses at Midway Atoll being covered by PMNM. NOAA is providing berthing space for time on vessel Hi'ialakai.

- 5. Time frame:**
Activity start: May 10, 2010
Activity completion: June 3, 2010

Dates actively inside the Monument:
From: May 24, 2010
To: June 2, 2010

Describe any limiting factors in declaring specific dates of the proposed activity at the time of application: Entrance into the Monument dependent on availability of air to Midway Atoll on May 24, 2010.

Personnel schedule in the Monument: Oscar Valenzuela will be in the Monument as follows:

Midway Atoll-May 24, 2010 to May 27, 2010

NOAA Ship Hi'ialakai-May 27, 2010 to May 29, 2010

French Frigate Shoals-May 30, 2010

NOAA Ship Hi'ialakai-May 31, 2010

Nihoa-June 1, 2010

NOAA Ship Hi'ialakai-June 2, 2010-June 3, 2010

6. Indicate (with attached documentation) what insurance policies, bonding coverage, and/or financial resources are in place to pay for or reimburse the Monument trustees for the necessary search and rescue, evacuation, and/or removal of any or all persons covered by the permit from the Monument: Oscar Valenzuela covered by employers insurance.

7. Check the appropriate box to indicate how personnel will enter the Monument:

- ☒ Vessel
☒ Aircraft

Provide Vessel and Aircraft information: Aircraft information pending, NOAA Ship Hi'ialakai

8. The certifications/inspections (below) must be completed prior to departure for vessels (and associated tenders) entering the Monument. Fill in scheduled date (attach documentation):

- ☐ Rodent free, Date:
☐ Tender vessel, Date:
☐ Ballast water, Date:
☐ Gear/equipment, Date:
☐ Hull inspection, Date:

9. Vessel information (NOTE: if you are traveling aboard a National Oceanic and Atmospheric Administration vessel, skip this question):

Vessel name:
Vessel owner:
Captain's name:
IMO#:
Vessel ID#:
Flag:
Vessel type:
Call sign:
Embarkation port:
Last port vessel will have been at prior to this embarkation:
Length:
Gross tonnage:
Total ballast water capacity volume (m3):
Total number of ballast water tanks on ship:
Total fuel capacity:
Total number of fuel tanks on ship:
Marine Sanitation Device:
Type:

Explain in detail how you will comply with the regulations regarding discharge in the Monument. Describe in detail. If applicable, attach schematics of the vessel's discharge and treatment systems:

Other fuel/hazardous materials to be carried on board and amounts:

Provide proof of a National Oceanic and Atmospheric Administration (NOAA) Office of Law Enforcement-approved Vessel Monitoring System (VMS). Provide the name and contact information of the contractor responsible for installing the VMS system. Also describe VMS unit name and type:

VMS Email:
Inmarsat ID#:

*** Individuals MUST ENSURE that a type-approved VMS unit is installed and that its automatic position reports are being properly received by the NOAA OLE system prior to the issuance of a permit. To make sure your VMS is properly configured for the NOAA OLE system, please contact NOAA OLE at (808) 203-2503 or (808) 203-2500.**

*** PERMITS WILL NOT BE ISSUED TO INDIVIDUALS ENTERING THE MONUMENT VIA VESSEL UNTIL NOAA OLE HAS CONTACTED THE MONUMENT PERMIT COORDINATOR WITH A 'POSITIVE CHECK' READING.**

10. Tender information:

On what workboats (tenders) will personnel, gear and materials be transported within the Monument? List the number of tenders/skiffs aboard and specific types of motors:

Additional Information for Land Based Operations

11. Proposed movement of personnel, gear, materials, and, if applicable, samples: If small boat space permits and if landings are scheduled, and following all quarantine requirements, Mr. Valenzuela with a NOAA escort would propose going ashore at French Frigate Shoals and Nihoa to shoot video. At Midway Atoll, Mr. Valenzuela will be transported from NOAA Ship Hi'ialakai in the same manner for all the crew.

12. Room and board requirements on island: 3-4 nights lodging at Midway Atoll, plus meals.

13. Work space needs: None

DID YOU INCLUDE THESE?

- ☐ Map(s) or GPS point(s) of Project Location(s), if applicable
- ☐ Funding Proposal(s)
- ☐ Funding and Award Documentation, if already received
- ☐ Documentation of Insurance, if already received
- ☐ Documentation of Inspections
- ☐ Documentation of all required Federal and State Permits or applications for permits

Addendum to Education Permit Application

Detailed daily plan for Oscar Valenzuela, Hawaii News Now photographer/reporter for 2010 Maritime Heritage Cruise to Papahānaumokuākea Marine National Monument.

(all times approximations based on travel, researcher availability, etc.)

Tuesday May 25, 2010-

3:35 am-Arrival at Midway Atoll via DUMA flight

6:00 am-Live report utilizing Skype

8:00 am-Video taping and interviews for story on HIMB shark research

4:00 pm-Video taping and interviews for story on PMNM as world's largest tropical seabird rookery

Wednesday May 26, 2010-

6:00 am-Live report utilizing Skype

8:00 am-Video taping (dive observer) and interviews for story on maritime heritage research

2:00 pm-Video taping (possible dive observer) and interviews for story on alien species research

Thursday May 27, 2010 through June 2, 2010

6:00 am-Live report utilizing Skype (5-27-10 only)

8:00 am-5:00 pm-Video taping aboard NOAA Ship *Hi'ialakai* for the following stories:

- *Corals and shipwrecks HIMB research

- *Coral Disease Research

- *NOAA Ship profile

- *Overall research program

- *Papahānaumokuākea history

- *Papahānaumokuākea management

- *Fish connectivity HIMB research

- *Significance of 10th anniversary of NWHI Coral Reef Ecosystem Reserve

All story development and production subject to agreement and cooperation of principal investigators, researchers and Monument managers. Television station shall retain the right to add or replace specific content after consultation with the principal investigator for the permit.